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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/713,548

11/14/2003

Jianmin Chen

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23562

7590

03/24/2005

BAKER & MCKENZIE  
PATENT DEPARTMENT  
2001 ROSS AVENUE  
SUITE 2300  
DALLAS, TX 75201

EXAMINER

MACK, RICKY LEVERN

ART UNIT

PAPER NUMBER

2873

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/713,548	Applicant(s) CHEN ET AL.	
	Examiner Ricky L. Mack	Art Unit 2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 38-46 and 50-52 is/are allowed.
- 6) ☒ Claim(s) 1-37 and 47-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>(5) PTO-1449s</u> . | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> .                 |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed 6/25/04 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered. The WO 02/37175 document was not provided.

### ***Specification***

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The specification does not provide antecedent for the following term(s): substantially non-green, substantially green, and non-green. These terms are recited in claims 1, 5-8, 12, 17, 21, 25-28 and 32.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-37 and 47-49 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1, 5-8, 12, 17, 21, 25-28 and 32, at least one of the following term(s) are used substantially non-green, substantially green, and non-green. The terms render the claim indefinite

because it is not clear as to what is included/excluded given the field of endeavor with various color combinations.

Claims not specifically mentioned are rejected based upon their dependence from a rejected claim.

*Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4, 8, 10, 12, 17, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Chuang (6384972B1).

Chuang discloses, as in claims 1, 8, 10, 12, 17, 19 and 20, a color management architecture comprising for managing red, blue, and green primary colors from a substantially white input light (4), the architecture comprising: an input dichroic beam splitting element (6) configured to split the input light into a first portion and a second portion (see fig. 3), wherein the first portion contains a first substantially non-green primary color from the input light and wherein the second portion contains a second substantially non-green primary color from the input light and a substantially green primary color from the input light; a first polarizing beam splitter (71) configured to receive the first portion light containing the first substantially non-green primary color from the input dichroic beam splitting element (6); a first reflective panel (91) adjacent to the first polarizing beam splitter (6) and configured to modulate and reflect the first portion light; a second polarizing beam splitter (72) configured to receive the second portion light and to split the second portion light into a third portion light containing

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the second substantially non-green primary color and a fourth portion light containing the substantially green primary color; a second reflective panel (93) adjacent to the second polarizing beam splitter (72) and configured to modulate and reflect the third portion light; a third reflective (92) panel adjacent to the second polarizing beam splitter (72) and configured to modulate and reflect the fourth portion light; and a third polarizing beam splitter (73) adjacent to the first and second polarizing beam splitters and configured to combine the modulated and reflected lights of the first, third, and fourth portions to form an output light (whole document relevant) . Chuang discloses a device sufficient in structure to anticipate the limitations cited in claims 1-20. While Chuang does not specifically mention the non-green and green color limitations, applicant does not provide a specific structural limitation, which Chuang does not disclose. Chuang's device provides a broad teaching which is considered to include the specific function, which the present invention claims.

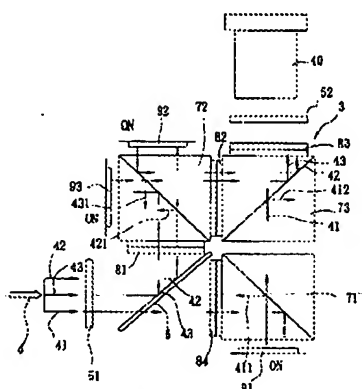


FIG. 3

Chuang discloses, as in claim 2, a polarization element (84) between the input dichroic beamsplitter and the 1st polarization beam splitter.

Chuang discloses, as in claim 3, a polarization element (81) between the input dichroic beamsplitter and the 2nd polarization beam splitter.

Chuang discloses, as in claim 4, a polarization element (84) between the input dichroic beamsplitter and the 1st polarization beam splitter, and a polarization element (81) between the input dichroic beamsplitter and the 2nd polarization beam splitter.

*Allowable Subject Matter*

7. Claims 38-46 and 50-52 are allowed.
8. Claims 21-37 and 47-49 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
9. Claims 5-8, 12, 14, 15, 16, 25-28 and 32 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
10. The following is an examiner's statement of reasons for allowability: The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claim(s), in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. Chuang (6384972) is considered to provide the closest teaching of the claimed invention and Chuang fails to teach a combination of all the claimed features as presented in claim(s) 14, 15, 16, 18, 21 and 38, and in particular, a skew ray compensator, or an oblique-plate skew ray compensator, as claimed. Another feature considered allowable and present in the dependent claims rejected under 35 U.S.C. 112, 2nd paragraph is dichroic filter(s) and polarization rotation element(s) positioned as claimed in claims 5-8, 12, 25-28 and 32. The combination of all the claimed features are not anticipated or made obvious by the prior art and all of said features are relied upon for a determination of allowability.

*Conclusion*

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following references are cited for disclosing a projection device comprising at least a first, second and third polarizing beamsplitter and other relevant structure: Suzuki et al. (6819497B2), Berman et al. (20030151833A1) and Asakura (20040174582A1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky L. Mack whose telephone number is (571) 272-2333. The examiner can normally be reached on Monday-Friday (6:30 AM to 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ricky L Mack  
Primary Examiner  
Art Unit 2873

RM  
March 19, 2005